



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,885	07/10/2008	Yasuhiro Sakaguchi	062771	7627

38834 7590 09/12/2011
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

YEE, DEBORAH

ART UNIT	PAPER NUMBER
----------	--------------

1733

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

09/12/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentmail@whda.com

<i>Examiner-Initiated Interview Summary</i>	Application No.	Applicant(s)	
	10/585,885	SAKAGUCHI ET AL.	
	Examiner	Art Unit	
	Deborah Yee	1733	

All participants (applicant, applicant's representative, PTO personnel):

(1) Deborah Yee. (3) ____.

(2) Shuji Yoshizaki. (4) ____.

Date of Interview: 02 September 2011.

Type: ☒ Telephonic ☐ Video Conference
 ☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
 If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☒103 ☐Others
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1.

Identification of prior art discussed: European patent 530725 to Kato et al ("Kato"), U.S. Patent No. 3,563,728 to Allio et al. ("Allio") and European patent 789089 to Yonezawa et al. ("Yonezawa").

Substance of Interview
 (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Attorney's representative proposed to amend claim 1 by changing "3% or less Mo" and "11 to 26% Ni" to -- 1.03 to 3%Mo-- and --11 to 20.1%Ni--, respectively. Support for amendment is base on Test Materials 25 and 27 in table 1 of instant specification. Proposed amendment would distinguish over 0-0.05% Mo disclosed by Allio, and 25-40%Ni disclosed by Yonezawa. Also it was proposed to delete claims 2 and 3 thereby overcoming Kato. It was noted that newly proposed amendment was not presented in the finally rejected claims and therefore would require further search and reconsideration. Hence Applicant will need to file a RCE.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/Deborah Yee/ Primary Examiner, Art Unit 1733	
--	--